

REMARKS

Applicants have amended claims 1, 27, and 38, and added new claims 62-83, which include subject matter of previously presented claims that the Examiner has indicated are allowable if rewritten in independent form. Claims 2-4 were previously canceled. Claim 1 and claims 5-83 are pending, of which claims 1, 20, 26-30, 35, 38, 62, 66, 72-75, and 79-83 are in independent format.

Claims 1, 5, 19, 27, 38, 39, 45, and 54 have been rejected under 35 U.S.C. §102 as anticipated by either Taylor (U.S. Pat. No. 1,943,775) or Nicholoy (U.S. Pat. No. 2,229,610). Applicants' claims 1, 27, and 38, as amended, recite an interior/second wall arranged to lengthen a flow path of cleaning fluid, and ribs having a substantially non-parallel orientation relative to the interior/second wall.

Neither Taylor nor Nicholoy discloses ribs having a substantially non-parallel orientation relative to a wall that lengthens the flow path of the cleaning fluid, as claimed. Taylor, for example, describes a vegetable cleansing and blanching apparatus. The apparatus includes a tank 37 with a baffle plate 38 extending downwardly from an upper surface of the tank. Tank 37 further includes baffle plates 42, 43 that extend up from the bottom of the tank. *See, e.g.*, p. 2, lines 43-48. Baffle plates 42, 43 are arranged in a parallel orientation relative to baffle plate 38. *See, e.g.*, FIG. 4.

Similarly, Nicholoy describes an apparatus for heat-treating vegetables. The apparatus includes a tank 20 having baffles 26, 27, 28, 29. As shown in FIG. 3, baffles 27, 28 extend downward from the top of the tank. Baffles 26, 29, as shown in FIG. 3, extend upwardly from the bottom of the tank, and are arranged in a parallel orientation relative to baffles 27, 28. *See, e.g.*, p. 3, lines 30-34 (describing a similar tank arrangement).

Therefore, Applicants request that these rejections be withdrawn.

Claims 47 and 56 have been rejected under 35 U.S.C. §103 as being unpatentable over either Taylor or Nicholoy in view of Salzer (U.S. Pat. No. 4,351,733). However, Salzer fails to cure the deficiencies noted above. Thus, for at least the reasons stated above, Applicants request that these rejections be withdrawn.

Applicant : Jurgen Hoser et al.
Serial No. : 09/936,880
Filed : September 17, 2001
Page : 21 of 21

Attorney's Docket No.: 02894-525001 / BAG 06332

Claims 6-17, 40-44, 46, 53, 55, and 57 have been objected to for being dependent upon a rejected base claims. However, the Examiner has noted that these claims would be allowable if rewritten in independent form. In response, Applicants have added claims 62-83, which include the subject matter of the above-noted claims. Thus, Applicants request that the newly added claims be allowed.

Enclosed is a \$1310.00 check for excess claim fees. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,



Michael R. Hamlin
Reg. No. 54,149

Date: October 29, 2004
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906